HON'BLE SRI JUSTICE B.PRAKASH RAO

Rev. WPMP No.23877 of 2003 in W.P.No.13074 of 1990

Rev. WPMP No.18480 of 2005 in W.P.No.14908 of 1990

Rev. WPMP No.18481 of 2003 in W.P.No.26608 of 1999

COMMON ORDER:

In all these review petitions, common question is involved and hence they are being disposed of together.

Heard both sides. Though several contentions are sought to be urged by the learned counsel appearing for the review petitioners and also the learned Government Pleader for Appeals appearing on behalf of respondents, the fact remains that this Court did not uphold the objections raised by the writ petitioners while challenging the land acquisition proceedings and other consequential proceedings in regard to entitlement of compensation.

However, after hearing the matter for quite some time, it has been represented by the learned counsel for the review petitioners and admitted by the learned Government Pleader on instructions that common award has been passed. Therefore, no prejudice would be caused to either of the parties if a proper enquiry as contemplated under Section 5-A of the Land Acquisition Act is conducted where the writ petitioners can raise all the objections open to them including the land acquisition and also entitlement of compensation, both at the time of award and at a later stage, which have to be adjudicated and disposed of on merits.

In view of the same, accepting the contentions of the counsel on either side, the review petitions stand allowed directing the respondent authority to hold comprehensive enquiry under Section 5-A of the Land Acquisition Act after giving notice to the writ petitioners and all such persons who are interested and affected by the land

acquisition and also the beneficiaries, if any, and pass orders in accordance with law. The respondents shall complete the entire exercise within a period of three months from the date of receipt of this order.

The review petitions are accordingly allowed.

21-04-2006

Bsc